

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

STEVEN JACOBS,

Plaintiff,

v.

DRAFTKINGS INC.,

Defendant.

Civil Action No. 1:24-cv-03077-NCM-VMS

**JOINT REQUEST TO CONTINUE CERTAIN DEADLINES RELATED TO
DRAFTKINGS INC.'S MOTION TO DISMISS**

Pursuant to Judge Merle's Individual Rules of Practice I.F, this request is made jointly by Plaintiff Steven Jacobs ("Plaintiff") and Defendant DraftKings Inc. ("DraftKings"), collectively ("the Parties"), in order to continue certain filing deadlines for the briefing of DraftKings' motion to dismiss, which was served on June 28, 2024. The Parties through their respective counsel of record, agree and stipulate, as follows:

WHEREAS, on March 11, 2024, Plaintiff filed his Complaint in New York state court, County of Queens;

WHEREAS, on April 24, 2024, DraftKings removed the action to this Court;

WHEREAS, on May 1, 2024, DraftKings filed a letter motion summarizing the basis of its motion to dismiss, and objecting to Plaintiff proceeding by pseudonym, and Plaintiff filed a response on May 8, 2024;

WHEREAS, on May 22, 2024, the Court issued an order setting a briefing schedule for the motion to dismiss, with DraftKings' motion to dismiss due June 21, 2024;

WHEREAS, on June 17, 2024, the Court granted the parties' joint request for extension of time to respond to the Complaint and amended the briefing schedule for the motion to dismiss, with DraftKings' motion to dismiss due June 28, 2024;

WHEREAS, on June 28, 2024, DraftKings served its motion to dismiss;

WHEREAS, on July 15, 2024, Plaintiff, who was formerly proceeding *pro se*, engaged the Law Office of Bhavleen Sabharwal, P.C., to represent him in the above-captioned action; and

WHEREAS, Plaintiff's new counsel would benefit from a brief thirty-day continuance of the deadline for Plaintiff's opposition to DraftKings' motion to dismiss;

NOW THEREFORE, the Parties, through their counsel, jointly request as follows:

1. Plaintiff's Opposition to the Motion to Dismiss, currently due on or before July 29, 2024, shall be due on or before August 28, 2024; and
2. Defendant's Reply to the Motion to Dismiss, currently due on or before August 8, 2024, shall be due on or before September 20, 2024;

It is respectfully requested by the Parties that the Court modify the briefing schedule for the Motion to Dismiss as set forth above.

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